

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE, NORTH CAROLINA

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The telephone number for the United States Bankruptcy Court is (704) 350-7500

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In response to COVID-19, hearings scheduled before Judge J. Craig Whitley for April 26 - 30, 2021 will be held telephonically or virtually via ZoomGov. Below is the weekly calendar of hearings. Please see the daily calendars for the dial-in information for telephonic hearings, and the point of contact for the needed link, codes and dial-in information for virtual hearings.

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04/26/2021

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

MONDAY, APRIL 26, 2021

9:30 a.m. (Telephonic Hearings)

- |    |     |                         |          |                                  |
|----|-----|-------------------------|----------|----------------------------------|
| 1) | Adv | Lynn K. Hock            | 19-3016  | Hearing on Motion to Withdraw as |
|    |     | v.                      | Ch. 7    | Counsel (43)                     |
|    |     | Department of Education | 18-31795 |                                  |

LAYTON/RADEY  
JOHNSON

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2) Adv Heather W. Culp, 20-3065 Continued status hearing (9)  
Ch. 7 Trustee Ch. 7  
v. 20-30588  
Dashawn M. Miller

CULP  
PRO SE

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3) 7 Perfect Fit Industries, LLC 20-30706 Hearing on Trustee's Motion to Determine Amounts Owed Pursuant to Order Granting Trustee's Motion to Sell Entered September 3, 2020 (99); Objection of R&M Group, LLC and Cross Motion to Compel Trustee to Comply with Sale Order (100); Response of Regal West Corporation (102)

GORMAN/GRIER  
TAYLOR, TR.  
CHUBAK  
JOHNSON

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4) 7 Jesus Marrero, Jr. 21-30057 Hearing on Motion to Withdraw from Representation of Debtors (14)

Hearing on Trustee's Motion for Turnover and Request for Fees (15)

Hearing on Trustee's Motion to Extend Time to Object to Discharge (16)

HANDS  
HAYES, TR.

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5) 7 Abdul K. Garuba 16-30969 Hearing on the Bankruptcy  
Josinelia B. Garuba Administrator's Response to the  
Trustee's Final Report (287); Trustee's  
Final Report (282)

MITCHELL  
WRIGHT, TR.  
ABEL

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6) 7 Infinity Rebuild, Inc. 19-31597 Hearing on Trustee's Motion for  
Authority to Administer Surplus Sale  
Proceeds Relative to Abandoned  
Assets (107)

LANIK  
WRIGHT, TR.

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7) 7 Jose J. Gonzalez 21-30036 Continued hearing on Amended  
Motion of DSMG, LLC for Relief from  
Automatic Stay (33/20); Debtor's  
Objection (21)

CUMMINGS  
WRIGHT, TR.  
BAKER

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04/27/2021

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

TUESDAY, APRIL 27, 2021

9:30 a.m. (Telephonic Hearings)

1) 11 Schletter Inc. 18-40169 Hearing on Plan Administrator's  
Omnibus Objection to Certain (I)  
Duplicate Claims; (II) Satisfied or  
Released Claims; and (III) Late-Filed  
Claims (503)

CRABTREE

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2) 11 Shailesh Patel 20-30455 4th continued confirmation hearing  
Meena Patel (65); Chapter 11 Small Business Plan  
and Amendment (64/67); Objection of  
the United States Small Business  
Administration (87)

Continued hearing on Debtors'  
Objection to Claim 6 [Claim of the  
United States Small Business  
Administration] (68); Response of the  
United States Small Business  
Administration (86)

PEARCE

SULLIVAN

ABEL - Bankruptcy Administrator

MARTINEZ - Subchapter V Trustee

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3) 11 Ace Motor Acceptance Corporation 18-30426 Court Order for Status Hearing regarding Court Order in Aid of Consummation (389 / 278)

HENDERSON

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4) 11 Calvin R. Kennedy Cynthia M. Kennedy 20-30208 8th continued hearing on Motion of Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust to (1) Enjoin Use of Cash Collateral; (2) to Determine Proceeding Single Asset Real Estate Case; and (3) Alternatively, for Relief from Stay (32); Debtors' Response (34)

Continued hearing on Chapter 11 Disclosure Statement (73); Objection of Wilmington Savings (85)

Hearing on Debtors' Application for Authority to Retain and Employ The Henderson Law Firm PLLC as Bankruptcy Counsel (77); Response of the Bankruptcy Administrator (84)

HENDERSON  
PETTIT  
ABEL, BA

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5) Adv Ballantyne Brands, LLC 21-3002 Hearing on Defendant's Motion to Dismiss (7); Plaintiff's Response and Brief of Law in Opposition to Defendant's Motion to Dismiss Complaint (8)  
v. Ch. 11  
John J. Wiesehan, Jr. 19-30083

WRIGHT  
PARRISH

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6) Adv Ballantyne Brands, LLC 21-3004 Hearing on Defendant's Motion to  
v. Ch. 11 Dismiss (7); Plaintiff's Response and  
Justin Wiesehan 19-30083 Brief of Law in Opposition to  
Defendant's Motion to Dismiss  
Complaint (8)

WRIGHT  
PARRISH

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7) Adv Ballantyne Brands, LLC 21-3005 Hearing on Defendant's Motion to  
v. Ch. 11 Dismiss (7); Plaintiff's Response and  
Todd Millard 19-30083 Brief of Law in Opposition to  
Defendant's Motion to Dismiss  
Complaint (8)

WRIGHT  
PARRISH

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8) 11 Redf Marketing, LLC 12-32462 2nd continued hearing on Motion of  
The Finley Group for Status Hearing  
or, in the Alternative, to Enforce  
Settlement Agreement and Settlement  
Order (672)

HOUSTON

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9) Adv. Matthew W. Smith, 20-3007 2nd continued hearing on Plaintiff's  
*Ch. 11 Trustee for* Ch. 11 Motion for Order Directing Mediation  
*BK Racing, LLC* 18-30241 (15)  
v.  
Nancy J. O'Haro

HOUSTON  
WOODMAN

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- 10) Adv. Matthew W. Smith, 20-3008 2nd continued hearing on Plaintiff's  
*Chapter 11 Trustee for* Ch. 11 Motion for Order Directing Mediation  
*BK Racing, LLC* 18-30241 (15)  
v.  
Lena Pitrelli

HOUSTON  
WOODMAN

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- 11) Adv Matthew W. Smith 20-03009 4th continued hearing on Defendant's  
*Ch. 11 Trustee for* Ch. 11 Motion to Compel (25/26); Plaintiff's  
*BK Racing, LLC* 18-30241 Reply Brief (32); Defendant's Reply  
v. Brief Supporting its Motion to Compel  
Iowa City Capital (34)  
Partners, LC

4th continued hearing on Plaintiff's  
Motion to Compel (27); Defendant's  
Objection (31)

3rd continued hearing on Plaintiff's  
Motion for Protective Order (33)

HOUSTON  
WEINER

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- 12) Adv. Matthew W. Smith, 20-3014 2nd continued hearing on Plaintiff's  
*Chapter 11 Trustee for* Ch. 11 Motion for Order Directing Mediation  
*BK Racing, LLC* 18-30241 (15)  
v.  
Ronald C. Devine, et al.

HOUSTON  
WOODMAN

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- 13) Adv. Matthew W. Smith, 20-3016 2nd continued hearing on Plaintiff's  
*Chapter 11 Trustee for* Ch. 11 Motion for Order Directing Mediation  
*BK Racing, LLC* 18-30241 (23)  
v.  
Brian Castel, et al.

HOUSTON  
DiMATTEO / WOODMAN

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- 14) Adv. Matthew W. Smith, 20-3057 2nd continued hearing on Plaintiff's  
*Chapter 11 Trustee for* Ch. 11 Motion for Order Directing Mediation  
*BK Racing, LLC* 18-30241 (10)  
v.  
Michael Diserveria, et al.

HOUSTON  
DiMATTEO

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04/29/2021

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

THURSDAY, APRIL 29, 2021

9:30 a.m. (Zoom Hearing)

Adv Aldrich Pump LLC, et al. 20-3041  
v. Ch. 11  
Those Parties to Actions 20-30608  
Listed on Appendix A to  
Complaint and John and Jane  
Does 1-1000

Please refer to the case docket for the  
Notice of Proposed Agenda of Matters  
Scheduled for Hearing

MILLER/TOMSIC/FULTON

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04/30/2021

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, APRIL 30, 2021

*Steven G. Tate, Trustee*

9:30 a.m. (Telephonic Hearings)

1) 13 Donald W. Price 14-40183 Hearing on Debtor's Motion to Strike  
Withdrawal of Notice of Mortgage  
Payment Change (104)

O. M. GARDNER

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2) 13 Jonathan B. Scruggs 16-40051 Hearing on Trustee's Motion to Deem  
Cynthia D. Scruggs Mortgage Loan Account Current (32)

SIGMON

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3) 13 Melissa A. Dalton 18-40080 Hearing on Trustee's Motion to  
Dismiss Case (40)

PLANER

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4) 13 Brandon R. Burnett 19-40384 Status hearing regarding Order  
Granting Motion to Modify Plan (34)

BEN PITTS

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5) 13 Michael C. Tolley 20-40229 Hearing on Objection of J. P. Morgan  
Sheila B. Tolley Chase Bank, N.A. to Confirmation  
(26/2)

Hearing on Debtors' Objection to  
Claim [JP Morgan Chase Bank, N.A.  
Claim #16] (21); Trustee's Response  
(23); Response of J.P. Morgan Chase  
Bank, N.A. (27)

HAY  
EDWARDS

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6) 13 Vicente Garcia 16-40401 4th continued hearing on Debtor's  
Motion for Sanctions to Compel  
Accounting and to Provide Accurate  
Payoff (76); Response of Shellpoint  
Mortgage Servicing on behalf of Wells  
Fargo Bank (85)

W. S. GARDNER  
KEENAN

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7) 13 Coy B. Duncan 17-40065 Hearing on Trustee's Motion to  
Teresa R. Duncan Dismiss Case (41)

Hearing on Debtors' Motion to  
Approve Mortgage Modification,  
Allow for Direct Trial Payments,  
Remove Arrears from Plan and Modify  
Chapter 13 Payment (43); Trustee's  
Response (45)

W. S. GARDNER

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8) 13 Desiree L. Harris 19-40466 Hearing on Trustee's Motion to  
Dismiss or Modify Plan (44)

W. S. GARDNER

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- 9) 13 Allen K. Effler 19-40446 Hearing on Trustee's Motion to Dismiss Case (23)  
WILLCOX  
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- 10) 13 Christopher N. Ross 20-40254 Hearing on Objection of Nationstar Mortgage LLC d/b/a Mr. Cooper Servicer for U.S. Bank N.A. to Confirmation (17/15)  
Cynthia W. Ross  
WILLCOX  
VINING  
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- 11) 13 Carolyn D. Surratt 21-40003 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (18/3)  
WILLCOX  
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- 12) 13 Sheri N. Jackson 19-40204 Hearing on Debtor's Motion to Modify Chapter 13 Plan to Surrender Motor Vehicle (27); Trustee's Response (29)  
FARMER  
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- 13) 13 Paul D. Anderson, Jr. 19-40278 8th continued hearing on Trustee's Motion to Dismiss Case (41)  
Jennifer S. Anderson  
FARMER  
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- 14) 13 Kevin L. Roberts 19-40295 6th continued hearing on Trustee's Motion for Turnover of Funds (32)  
FARMER  
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- 15) 13 Timothy F. Parks 19-40395 Continued hearing on Trustee's  
Kimberly S. Parks Motion to Dismiss Case (20)
- FARMER
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- 16) 13 Donna B. Ledford 20-40104 Hearing on Trustee's Motion to  
Dismiss Case (21)
- FARMER
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- 17) 13 Dean S. Mitchell 17-40093 Continued hearing on Motion for  
Relief from Automatic Stay and Co-  
Debtor Stay [Nationstar Mortgage LLC  
d/b/a Mr. Cooper] (34); Debtor's  
Objection (36)
- LUTZ  
NEILL
- 
- 18) 13 Karen E. Philbeck 17-40189 Hearing on Motion of CitiMortgage,  
Inc. to Allow Administrative Expense  
for Post-Petition Hazard Insurance and  
Tax Disbursement (40)
- LUTZ
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- 19) 13 Tracy L. Miller 17-40365 Hearing on Trustee's Motion to  
Dismiss Case (60); Debtor's Response  
(64)
- LUTZ
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- 20) 13 Debra P. Norville 19-40057 Hearing on Trustee's Motion to  
Dismiss Case (19); Debtor's Response  
(30)
- LUTZ
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- 21) 13 Lucille H. Smith 19-40139 Hearing on Debtor's Motion to Payoff Chapter 13 Plan Early (43)  
LUTZ  
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- 22) 13 Donald R. Bivins 19-40306 Hearing Debtors' Motion to Suspend Disbursement of Funds and to Return Funds to Debtor (48); Trustee's Response (49)  
Gwendolyn T. Bivins  
LUTZ  
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- 23) 13 Wyshena L. Rankin 19-40349 Continued hearing on Trustee's Motion to Dismiss Case (29)  
LUTZ  
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- 24) 13 Shane S. Spry 20-40164 Continued hearing on Trustee's Motion to Dismiss Case (22); Debtors' Response (34)  
Lisa A. Spry  
LUTZ  
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- 25) 13 Robert Charpentier, Jr. 20-40208 Continued hearing on Trustee's Motion to Dismiss Case (12)  
LUTZ  
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- 26) 13 Tydetta D. Brown 20-40225 Hearing on Debtor's Motion to Approve Settlement and Substitute Collateral (17)  
LUTZ  
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27) 13 Angela J. Fowler 21-40004 Hearing on Objection of Bambi Watkins to Confirmation of Chapter 13 Plan (9/10/2)

LUTZ  
W. S. GARDNER

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28) 13 James E. Baker, III 19-40002 Continued for Compliance Hearing regarding Debtor's Motion to Compel (54)

Hearing on Trustee's Motion for Order Converting Case to Chapter 7 Proceeding (61)

PRO SE

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10:30 a.m. (Telephonic Hearings)

29) 11 Debra H. Beam 16-40485 Status hearing regarding Order in Aid of Consummation (268)

JOHNSON

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30) 7 Donald Yelton 09-40314 Hearing on Trustee's Motion to Except Asset from Abandonment Upon Closing of Case and for Authority to Reopen Case with Deferred Filing Fee (537)  
Joan Yelton

W. S. GARDNER  
TAYLOR, TR.

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31) Adv HMBC Inc. d/b/a 20-4002 Hearing on Defendants' Motion to  
American Restoration Ch. 7 Reconsider (29); Order of Dismissal  
v. 20-40080 (28)  
Lawrence E. Wyatt  
Mandy T. Wyatt

Hearing on Plaintiff's Motion to  
Extend Discovery Time Period and  
Deadline to File Dispositive Motions  
(33)

W. S. GARDNER  
PRO SE

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32) 7 Gregory Jones 21-40045 Hearing on Motion of the Bankruptcy  
Carol C. Jones Administrator to Dismiss Case (26)

PRO SE

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***NO COURT***

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**HONORABLE J. CRAIG WHITLEY**

**THERE ARE NO HEARINGS SCHEDULED FOR  
WEDNESDAY, APRIL 28, 2021**

**SCHEDULE CHANGES OCCUR DAILY;  
PLEASE REFER TO ANY FILED NOTICES,  
OR ADVISE THE COURT IF THERE IS A NEED  
FOR A SPECIAL HEARING DATE.**